

GOVERNMENT OF ANDHRA PRADESH

A B S R A C T

Social Welfare Department – Land Acquisition for House Sites – Ananthapuramu District – Ananthapuramu, Village & Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.1,01,02,541/- towards balance decretal charges in AS No.376, 347 and 654/99 in O.P No.111, 112 and 113/85 – Orders- Issued.

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SOCIAL WELFARE (Budget&LA) DEPARTMENT

G.O.RT.No. 74

Dated: 03.03.2015
Read the following

1. From the Dist Collector, Ananthapuramu, Lr.No. G3/13209/2010, dated 21.12.2011.
2. From the CSW, A.P., Hyderabad Lr.No. LA4/47/2012, dated 23.01.2012.
3. From the Spl CS & CCLA, A.P., Hyd Lr.No.S2/90/2012, dated 18.05.2013.

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the LAO/RDO Ananthapuramu has acquired land to an Extent of Ac. 3.36 Cts in Sy. No. 317-C, an extent of Ac. 11.20 Cts in Sy. No.322, and an extent of Ac 0.17 in Sy. No. 318-2 (total 14.73 Acs) of Ananthapuramu Mandal and Village for provision of house sites to backward Classes and fixed the land value at Rs. 10,500/- per acre and passed Award No. 4/81-82 dt 26.03.1982. Not satisfied with the land compensation awarded by the LAO, the awardees get the matter referred to Civil Court for higher compensation U/s. 18 of the LA Act. The Sr. Civil Judge, Ananthapuramu has enhanced the market value from Rs. 10,500/-to Rs. 1,00,000/- per acre in respect of OP. No. 111/85, 112/85 and 113/85 dt 26.10.198. As the enhanced amount is more than 50%, the then LAO, Ananthapuramu has filed an appeal before the Hon'ble High Court AP, Hyderabad . The Hon'ble High court , AP, Hyderabad while granting stay on the condition ordered to deposit 70% of decretal charges in respect of OP. Nos. 111/85, 112/85 (As. No. 376/99, 347/99) and 50% of the decretal charges in respect of OP. No. 113/85 (As. No. 654/99) within 10 weeks from the date of orders i.e. 05.08.1999, the District Collector has released an amount of Rs. 36,08,987.50 and deposited in the Sr.Civil Judge, Ananthapuramu Court.

2. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has further submitted that an appeal was filed in the Hon'ble High Court and got the final orders in AS. No. 376, 347 and 654 of 1999 dt 05.08.2009, in which the Hon'ble High Court delivered Judgement and fixed market value at Rs. 1,50,000/- per acre and the claimant is entitled to Solatium at 30% on the market value and interest at 9 % per annum on the enhanced compensation including Solatium for a period of one year from the date of notification i.e. 22.05.1980 but not from the date of taking possession i.e. 26.03.1980 and thereafter at 15% per anum till the date of realization. The Government Pleader for Appeals, High Court of AP, Hyderabad has given opinion on 17.02.2011 for the OP. No. 111, 112 & 113/85 that the fixation of the market value by the Hon'ble High Court is appears to be reasonable and as such it is not a fit case for filling an appeal to Hon'ble Supreme Court of India and advised to comply with the Judgement passed by the Hon'ble High Court. Thereafter, the District Collector , Anantapuramu has submitted proposals for sanction an amount of Rs. 1,02,07,998/- towards payment of balance decretal charges in AS No.376, 347 and 654/99 in OP. No. 111, 112 & 113/85 for the lands acquired to an extent of Ac. 14.73 cts in Sy. No. 322, 312-1C and 318-2 situated at Anantapur Village & Mandal of Anantapur District for providing house sites to the backward Classes.

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3. The Spl. Chief Secretary & Chief Commissioner of Land Administration, AP, Hyderabad after verification and scrutiny of the proposal submitted by the Commissioner of Social Welfare, AP, Hyderabad /District Collector, Anantapuramu has forwarded proposals along with comparative calculation sheet for sanction an amount of Rs. 1,01,02,541/- (Rupees One Crore One Lakh Two thousand Five Hundred and Forty One only) towards payment of balance decretal charges in AS No.376, 347 and 654/99 in OP. No. 111,112 & 113 of 1985 for the lands acquired to an extent of Ac. 14.73 Cts in Sy. No. 322,312-1C and 318-2 situated at Anantapuramu Village and Mandal of Anantapuramu District for providing house sites to the backward Classes.

4. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs.1,01,02,541/- (Rupees One Crore One Lakh Two thousand Five Hundred and Forty One only) to the District Collector, Ananthapuramu towards payment of balance decretal charges in AS No.376, 347 and 654/99 in OP. No. 111,112 & 113 of 1985 for the lands acquired to an extent of Ac. 14.73 Cts, in Sy. No. 322, 312-1C and 318-2 situated at Anantapuramu Village and Mandal of Anantapuramu District for providing house sites to the backward Classes.

5. The expenditure sanctioned in para (4) above shall be met within the BE.2014-15 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

6. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Ananthapuramu to comply with the Court orders in OP No. 111,112 & 113 of 1985.

7. The District Collector, Ananthapuramu shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. VIJAY KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner
of Land Administration, A.P., Hyderabad
The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Ananthapuramu
Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, Ananthapuramu District.
Finance (EBS-III.SW) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER